U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

September 4, 2014

MR. JOHN GREENEWALD JR.
[redacted]

FOIPA Request No.: 1257375-001
Subject: File Number 288A-WF-238943

Dear Mr. Greenewald:

The enclosed documents were reviewed under the Freedom of Information Act (FOIA), Title 5, United States Code, Section 552. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Explanation of Exemptions:

Section 552		**Section 552a**
☐ (b)(1)	☐ (b)(7)(A)	☐ (d)(5)
☐ (b)(2)	☐ (b)(7)(B)	☐ (j)(2)
☑ (b)(3)	☑ (b)(7)(C)	☐ (k)(1)
Federal Rules of Criminal	☐ (b)(7)(D)	☐ (k)(2)
Procedure, Rule (6)(e)	☑ (b)(7)(E)	☐ (k)(3)
	☐ (b)(7)(F)	☐ (k)(4)
☐ (b)(4)	☐ (b)(8)	☐ (k)(5)
☐ (b)(5)	☐ (b)(9)	☐ (k)(6)
☑ (b)(6)		☐ (k)(7)

100 pages were reviewed and 83 pages are being released.

☐ Document(s) were located which originated with, or contained information concerning, other Government agency(ies) [OGA].

☐ This information has been referred to the OGA(s) for review and direct response to you.
☐ We are consulting with OGA(s). The FBI will correspond with you regarding this information when the consultation is finished.

☐ In accordance with standard FBI practice and pursuant to FOIA exemption (b)(7)(E) and Privacy Act exemption (j)(2) [5 U.S.C. § 552/552a (b)(7)(E)/(j)(2)], this response neither confirms nor denies the existence of your subject's name on any watch lists.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S. C. § 552(c) (2006 & Supp. IV (2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. Enclosed for your information is a copy of the Explanation of Exemptions.

☑ You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information Policy (OIP), U.S. Department of Justice,1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's eFOIA portal at http://www.justice.gov/oip/efoia-portal.html. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be easily identified.

☐ The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

☑ See additional information which follows.

Sincerely,

David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosures (2)

According to our records, you received 219 pages of information free of charge along with a release letter dated March 21, 2014. Since you have already received your 100 free pages in that release the total cost for this release is **$15.00**. Upon receipt of the enclosed CD-ROM, please go to www.pay.gov to make an electronic payment* or make a check or money order payable to the Federal Bureau of Investigation and mail it to the Work Process Unit, Record/Information Dissemination Section, Records Management Division, Federal Bureau of Investigation, 170 Marcel Drive, Winchester, VA 22602. Please include the FOIPA Request Number(s) with your payment. **Failure to pay for this release will close any pending FBI FOIPA requests from you. Nonpayment will also cause an automatic denial of any future FOIPA requests.**

**Pay.gov is a secure web-based application that accepts credit card and ACH payments online, and is hosted by the United States Department of Treasury, Financial Management Service. For frequent FOIPA requesters, it is recommended to create a Pay.gov account to retain an online history of payments made through Pay.gov and to retain specific information for future payments. To make an electronic payment, complete the FBI Freedom of Information Act and Privacy Act Form located on Pay.gov. Please note: if a refund is necessary, there is less processing time to refund a credit card payment than an ACH payment.*

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

(b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;

(b)(2) related solely to the internal personnel rules and practices of an agency;

(b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;

(b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;

(b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

(d)(5) information compiled in reasonable anticipation of a civil action proceeding;

(j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;

(k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;

(k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;

(k)(4) required by statute to be maintained and used solely as statistical records;

(k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service he release of which would compromise the testing or examination process;

(k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FD-340 (Rev. 4-11-03)

File Number 288A WF-238943 - 1A 1

Field Office Acquiring Evidence WFO

Serial # of Originating Document __________

Date Received 11/04/2008

From US Courts Meeting
(Name of Contributor/Interviewee)

(Address)

(City and State)

By SA [redacted] & SA [redacted]

b6
b7C

To Be Returned ☐ Yes ☑ No

Receipt Given ☐ Yes ☑ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure
☐ Yes ☑ No

Federal Taxpayer Information (FTI)
☐ Yes ☑ No

Title: Unsub(s);
US Courts - Victim;
Comp Intrusion - Other

Reference: EC
(Communication Enclosing Material)

Description: ☑ Original notes re interview of

US Courts Meeting

[redacted] PACER CTR b6 b7C

[redacted] ①

11/4/08 - US Courts Mtg
17 fed libraries

2 accts being used outside libraries

data was going to one IP

34 district courts - .08¢ per page

$1.5 Mil ⓐ 9/8-22/08
documents
downloaded
\ Shut off
accts

Noticed slowness on their ECF

Billing log thru Pacer -
IP let them know

Each fed court
CM/ECF server and one on public
side for
Linux Red Hat is the OS

Billing
~~Billing~~ log maintained at each court
recorded locally in district courts

Concerns:
Someone swiped a passwords from 2 libraries
it was fairly organized, huge volume of data

- Sequental Case Numbers were taken
- There didnt appear to be any script writing
- feel they may already be a PACER customer.

850K registered user

Both libraries use AT&T DSL service

Chicago was compromised just 2 wks after pswd was chgd.

Sacramento - used script for login developed in Alaska - w/in Public library

Chicago - logged on by librarian, Reference tech
They could log in to any ~~What~~ PACER system available. 1 hr. limit

 only 4 users

* Where are they ~~fr~~ physically located?
* Phone #s for libraries - who is POC?
* Logs
  - server logs
  - extract of courts
  CD w/ billing transactions

7th Circuit - Intern @ Fed Reserve
Intern used their laptop - Windows
saved the Username & pswd.
Pswd was chgd 9/1 - after incident

All downloads went to the 2 IPs (Amazon)

Library blog mentioned security breach

- dockets & documents
  downloading entire cases
  34 individual district courts
  dont know if criminal or civil cases
  started with older cases - 90's
  Colorado went to 2004 <-

Theoretically could be someone trying to build their own database
- someone offering this type of service

There is privacy related info in the older cases, but if they are lookin for bio data they would go after bankruptcy courts

PACER provides data for ~~Lexis~~ Lexis

~~Doc~~
They were doin this during normal court hours - only way they were caught

US Courts

11/4/08

1

pilot program - 17 libraries
- comps. available to public
- 1 password for 11 mos.
- 1 passwd changed 2 weeks prior

~~data~~
accessed 34 district cts., pulling everything they can get thru PACER

internal process - they log you in & log you out

$1.5 million worth of data downloaded from 9/8 - 9/22
- accts. disabled on 9/22 when it was discovered

Colorado District Ct. - slowness on server affecting performance, reported, saw it was on PACER system, then saw PACER was being used from outside library

billing log when PACER is accessed, logs IP address, IP coming from outside library

2 accessed {
7th Circuit Ct of Appeals - Chicago
Sacramento Public Law Library
}

2

each fed Ct. keeps docket & has separate server
- server on public side of internet

billing - log created @ each Ct
- moving to centralized system
- locally in district Ct. right now

all traffic went to 2 Amazon IP addresses

Concerns - somebody got passwds from CA & Chicago
- need to know how they got the passwds
- large volume of docs. - organized, knows script
- pilot was well advertised
-

Sequential case #s were taken - they were just grabbing everything

no script development - maybe a PACER customer already, they knew how the system worked

850,000 registered PACER users

2 facilities don't belong to same institution - no similarities

3

AT&T DSL Service - they both use this (Sacramento & Chicago)
↳ they aren't on US CTS private network

- ? previous incidents - one in Chicago w/ pilot program

no sign-in sheets - they were trying to avoid that
- thought public who wouldn't go to courts would go to the libraries
- some libraries had log-ins - people use fake names

- Sacramento - script used, only 4 people came to use it
Chicago - librarian manually logged in

- fed bldg, fed cthouse → is there a record of who came in? [redacted]

b6
b7C

- users were assigned a terminal in library, librarian logged them in, then they had access, log-in will work anywhere in PACER system

- How did librarian log-in? [redacted]

- Chicago - reference tech logged in, 1 hr. limit
CA - script, clicked on button & you were logged in

- live last Nov. - PACER

4

- exact dates - ~~were~~ passwords were sent out ?

- intern @ fed. reserve - look up accts. based on SSN for project, librarian logged on intern's laptop, laptop saved password, system was logged on outside business hrs.

wireless access

- Texas - using laptop during hrs. in library

- Sept. 1 - Chicago changed passwd.

- 2 IP's - logged in & data sent there, everything was done thru these

- program is shut down, notice didn't mention intrusion, it was told @ meeting that pilot was shut down due to security breach, librarians didn't ask how it happened just where it happened

- downloading dockets & documents from docket
  - taking whole cases in sequential order

- District Cts. - what was taken all came from here
  ↳ not sure if it were civil or criminal

- they started w/ older cases (1990's) & moved forward

- privacy related info in older dockets
  - SSN, alien #'s may not have been redacted

- someone may have been trying to build their own database

- no competition - services pull data from PACER (PACER is behind all other services)

- anyone offering info for sale - like trying to build database

- [redacted] has server logs on CD b6 b7C
  has CD w/ billing transactions

- CA - law library is inside public library

- Chicago - inside courts ?

- POC @ libraries:

- access every 1-2 seconds - 1 log-in, continuous session

- they were doing it during daytime & slowing down courts - how they were caught

FD-340 (Rev. 4-11-03)

File Number 288A-WF-238943-1A 2

Field Office Acquiring Evidence WFO

Serial # of Originating Document ______

Date Received 11/07/2008

From [redacted] ontributor/Interviewee) b6 b7C

Admin. Office of the US Courts
(Address)

______
[redacted]

By SA [redacted]

To Be Returned ☐ Yes ☑ No

Receipt Given ☐ Yes ☑ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure
☐ Yes ☑ No

Federal Taxpayer Information (FTI)
☐ Yes ☑ No

Title: Unsub(s);
US Courts - Victim
Comp. Intrusion - Other

Reference: 302
(Communication Enclosing Material)

Description: ☐ Original notes re interview of

Contacts for libraries

Federal Depository Library/PACER Verification Form

Submission of this form is required for an account to be created that will provide you with a login and password to access to PACER, Public Access to Court Electronic Records.

At its September 18, 2007 meeting, the Judicial Conference approved the pilot project to provide Federal depository libraries no-fee access to PACER (Public Access to Court Electronic Records), a service of the Administrative Office of the U. S. Courts (AOUSC). GPO is pleased to be working with the AOUSC to implement the pilot to expand access to PACER.

The goal of the pilot project is to determine if Federal depository library access to PACER expands usage to those who currently do not have it available to them or would be inhibited by going to a court house to use the service. To ensure the goal of the pilot is met, participating libraries are obligated to:

* Promote the PACER service to the public;
* Have a survey available for PACER users to submit (GPO will provide);
* Report PACER activities to GPO every two months (GPO will provide report form);
* Provide access to PACER only from computers within the library and its branches; and
* Meet other requirements of the pilot, including those related to login and password security.

The Web site is to be used for free public access under the Federal Depository Library Program (FDLP). Your password and login information are to be shared only with library staff who provide reference service. This information may also be shared with branch libraries that are under the purview of the same library director. It is against AOUSC/GPO policy to give out your login or password to another organization or individual library users. Also, you may not allow organizations outside your library to connect to PACER using your login and password via your library's computer network; public access workstations in the Federal depository library are permissible. Any violation of these terms will result in the termination of your account with the PACER Service Center.

Please complete the entire form and return it by fax to 202-512-2300. Alternatively, you may scan the signed form and e-mail it to Cindy Etkin at cetkin@gpo.gov.

Depository Library Number: 0155A

Library Name: Wm. J. Campbell Library of the U.S. Courts

Library Address: U.S. Court of Appeals for the Seventh Circuit
219 S. Dearborn, Room 1637 Chicago, IL 60604

Depository Coordinator (contact) [redacted] b6 b7C

Phone Number: [redacted]

E-mail Address: [redacted]

If you agree to the terms expres[redacted]

Library Director's Signature: [redacted]

10/23/2007
TOTAL P.01

Federal Depository Library/PACER Verification Form

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Please complete the entire form and return it by fax to 202-512-2300. Alternatively, you may scan the signed form and e-mail it to Cindy Etkin at cetkin@gpo.gov.

Depository Library Number: 0055-B.

Library Name: Sacramento County Public Law Library

Library Address: 813 Sixth Street
Sacramento, CA 95814.

Depository Coordinator (contact): [redacted] b6 b7C

Phone Number: [redacted]

E-mail Address: [redacted]

If you agree to the terms expressed [redacted]

Library Director's Signature: [redacted]

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File Number 288A-WF-238943 - 1A 11

Field Office Acquiring Evidence WFO

Serial # of Originating Document ______

Date Received 11/04/2008

From [redacted]
(Name of Contributor/Interviewee)

CCIPS
(Address)

______
(City and State)

By SA [redacted]

b6
b7C

To Be Returned ☐ Yes ☑ No

Receipt Given ☐ Yes ☑ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure

☐ Yes ☑ No

Federal Taxpayer Information (FTI)

☐ Yes ☑ No

Title: Unsub(s);
US Courts - Victim;
Comp. Intrusion - Other

Reference: 302
(Communication Enclosing Material)

Description: ☐ Original notes re interview of

Open Access to Government Documents Slides by
[redacted]

Open Access to Government Documents

...or, "Federal Court Documents: Even Google Can't Find Them"

[redacted] b6 b7C

Fellow, Berkman Center

Oct 14, 2008

The Law

"Copyright protection under this title is not available for any work of the United States Government"

17 U.S.C. 105

Three Snapshots

- Congressional Research Service (CRS)
- Oregon State Codes
- Public Access to Court Electronic Records (PACER)

CRS Reports:

Congressional Research Service

Memorandum April 18, 2007

TO: All CRS Staff

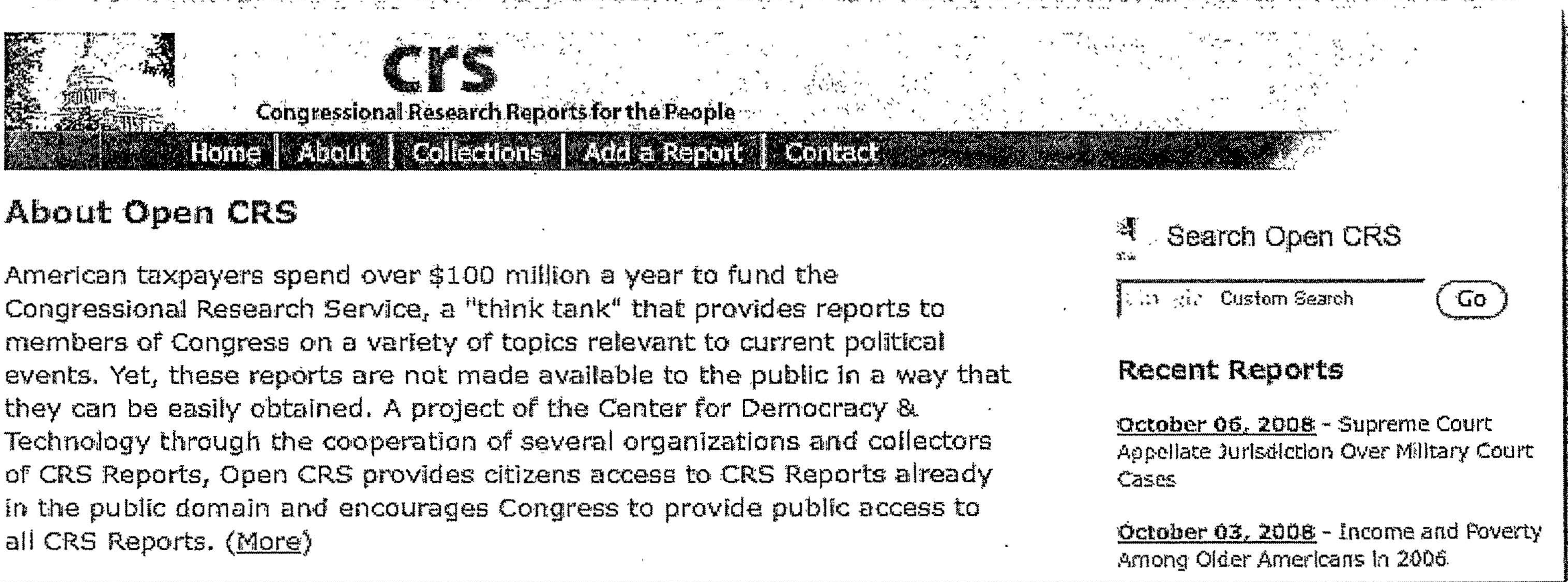
FROM: Daniel P. Mulhollan
Director

SUBJECT: Access to CRS Reports

What is the rationale for CRS providing its work solely to the Congress? Three broad concerns go to the heart of the existing policy: impairment of the performance of Members' representational role, risk to confidentiality, and impact on the mission and congressional focus that characterizes our efforts. These issues also inform our policies on furnishing products to individuals outside Congress and our guidelines on staff interactions with the media.

CRS Reports


Penny Hill Press
An informed citizenry is the bulwark of a democracy.
-Thomas Jefferson
SUBSCRIBER LOG IN
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Congressional Research Reports for the People
Home | About | Collections | Add a Report | Contact
About Open CRS
American taxpayers spend over $100 million a year to fund the Congressional Research Service, a "think tank" that provides reports to members of Congress on a variety of topics relevant to current political events. Yet, these reports are not made available to the public in a way that they can be easily obtained. A project of the Center for Democracy & Technology through the cooperation of several organizations and collectors of CRS Reports, Open CRS provides citizens access to CRS Reports already in the public domain and encourages Congress to provide public access to all CRS Reports. (More)
Search Open CRS
Custom Search
Go
Recent Reports
October 06, 2008 - Supreme Court Appellate Jurisdiction Over Military Court Cases
October 03, 2008 - Income and Poverty Among Older Americans in 2006

Oregon State Codes





PACER:

Welcome to the U.S. District Court for the Southern District of California

Southern District of California - Document Filing System

CM/ECF Live

System will be going down for maintenance at 4:30 am PST and will be up at 5:00 am PST every Wednesday.

This facility is for Official Court Business only. Activity to and from this site is logged. Document filings on this system are subject to Federal Rule of Civil Procedure 11. Evidence of unauthorized or criminal activity will be forwarded to the appropriate law enforcement officials.

Welcome to the U.S. District Court for the Southern District of California Electronic Document Filing System. This page is for the use by attorneys and firms participating in the electronic filing system.

Orders can now be E-mailed to Chambers in MS Word format as well as WordPerfect format.

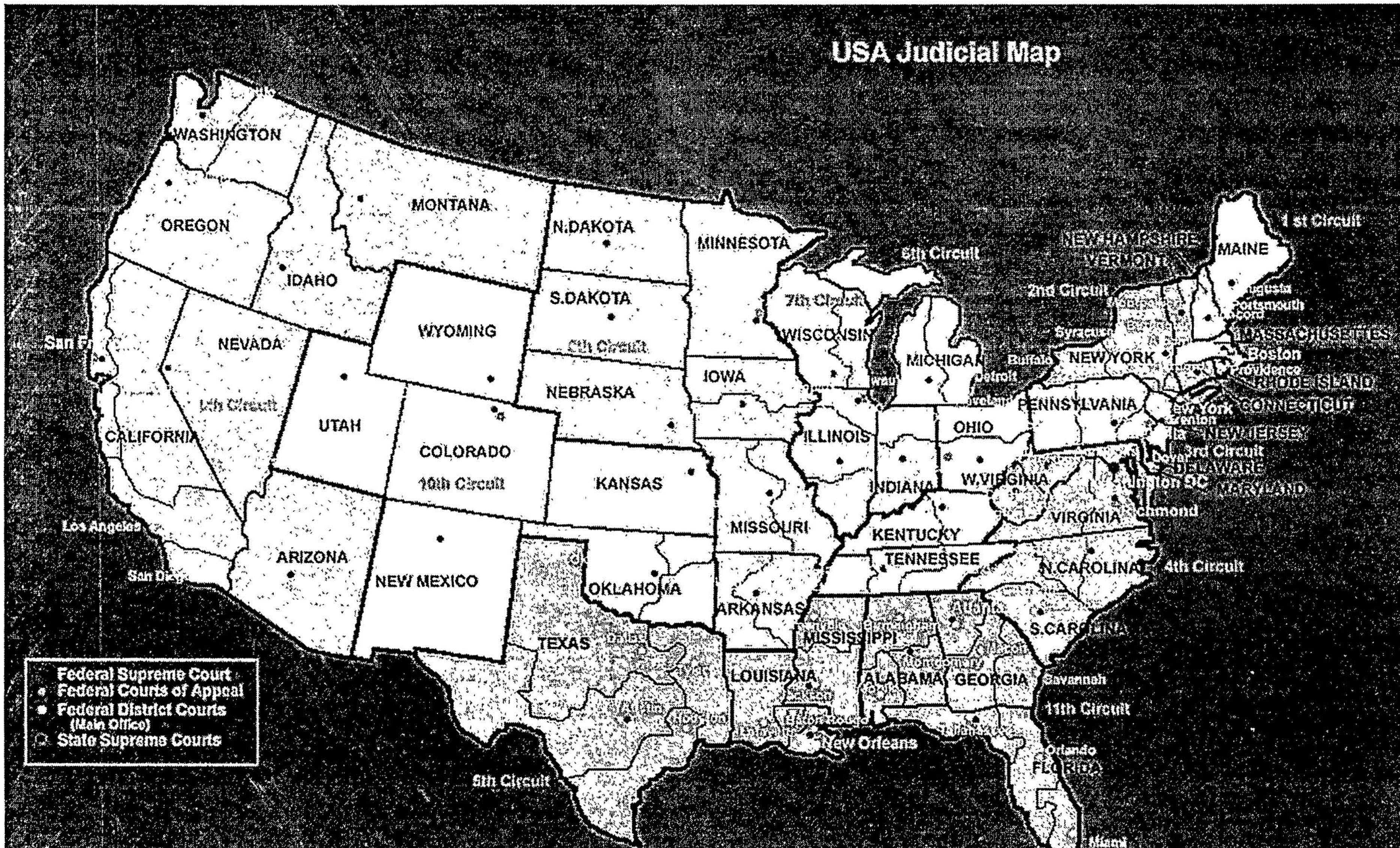
Common Themes

- delegation of authority
- cost recovery
- creation of downstream monopolies/control

PACER Fee Chronology

- 1990: PACER dial-up access at $1/minute
- 1998: PACER web access at $.07/page
- 2002: E-Government Act
- 2004: Fee increase to $.08/page
- 2006: $100M JITF surplus, ban on any transfer of fee-exempt documents
- 2007: No-Fee library access trial

How is PACER designed technically?



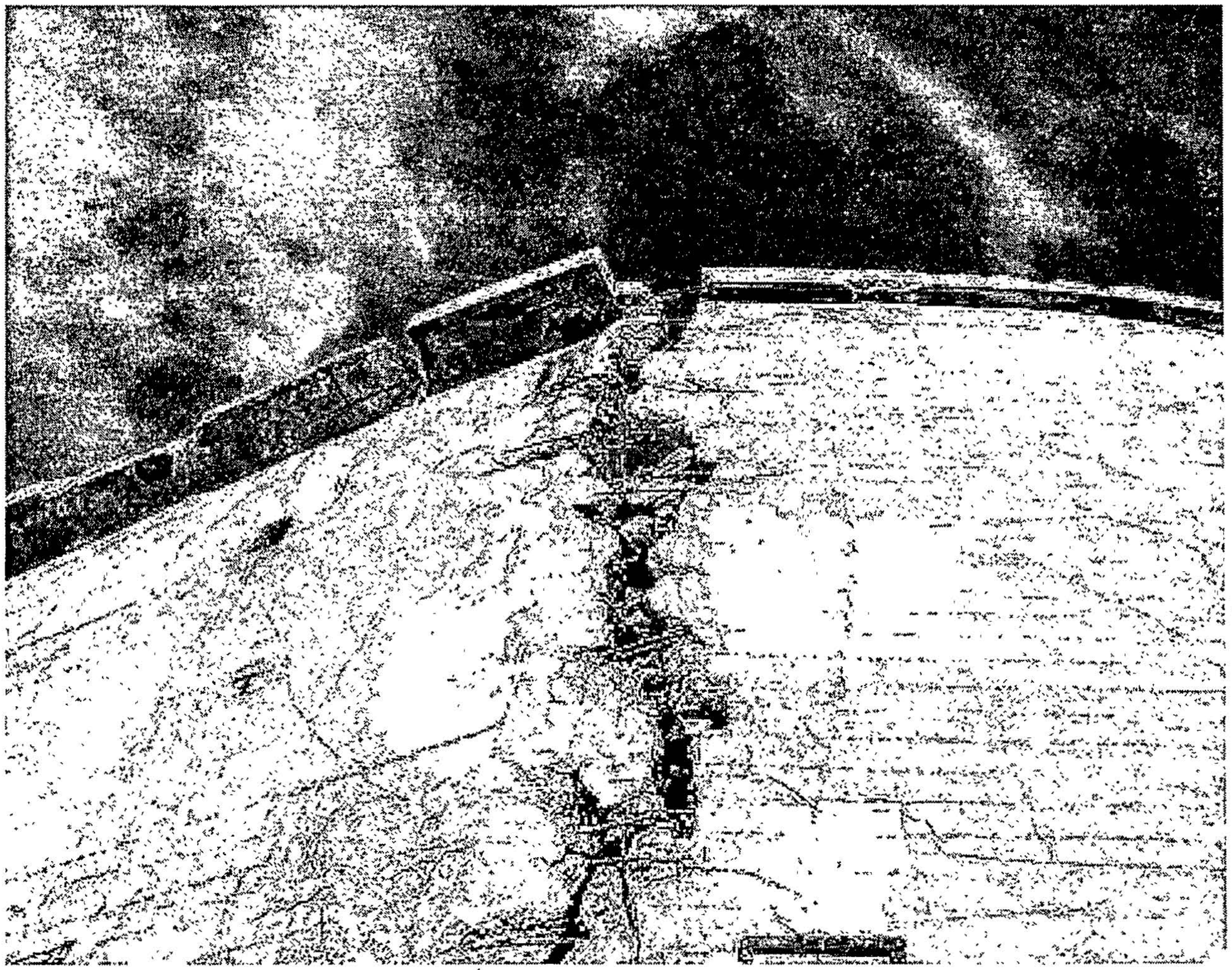
How Has This Changed?

- Administrative Office of the U.S. Courts "Annual Report of the Director" 2006: "The Centralized Authentication Project (CAP) was incorporated into CM/ECF. CAP improves system security by allowing the Judiciary to authenticate PACER users at one of two national gateways rather than distributing the PACER passwords to each site."

- Only two data centers: Reston and Kansas

- But still 188 different servers, running one of 10 different versions of the software

Cracks in the Dam



Cracks in the Dam

- PACER Recycling
- IP Litigation Clearinghouse, Civil Rights Litigation Clearinghouse
- Justia
- Court Web Sites
- Google
- E-Government Act of 2002
- No-Fee PACER Access at 16 Federal Depository Libraries

The E-Government Act of 2002

§205, in relevant part, states:

(a) INDIVIDUAL COURT WEBSITES- The Chief Justice of the United States, the chief judge of each circuit and district and of the Court of Federal Claims, and the chief bankruptcy judge of each district shall cause to be established and maintained, for the court of which the judge is chief justice or judge, a website that contains the following information or links to websites with the following information:

***

(4) Access to docket information for each case.

(5) Access to the substance of all written opinions issued by the court, regardless of whether such opinions are to be published in the official court reporter, in a text searchable format.

(6) Access to documents filed with the courthouse in electronic form, to the extent provided under subsection (c).

The E-Government Act of 2002

(e) COST OF PROVIDING ELECTRONIC DOCKETING INFORMATION- Section 303(a) of the Judiciary Appropriations Act, 1992 (105 stat 810, codified in 28 U.S.C. 1913 note) is amended in the first sentence by striking `**shall hereafter**' and inserting `**may, only to the extent necessary,**'.

With section (e)'s amendment, the overall wording of the law is:

"303(a): The Judicial Conference may, only to the extent necessary, prescribe reasonable fees, pursuant to sections 1913, 1914, 1926, 1930, and 1932 of title 28, United States Code, for collection by the courts under those sections for access to information available through automatic data processing equipment. These fees may distinguish between classes of persons, and shall provide for exempting persons or classes of persons from the fees, in order to avoid unreasonable burdens and to promote public access to such information. The Director of the Administrative Office of the United States Courts, under the direction of the Judicial Conference of the United States, shall prescribe a schedule of reasonable fees for electronic access to information which the Director is required to maintain and make available to the public."

How the Judiciary Has Reacted to the Act

"As directed by Congress, the Judicial Conference has determined that the following fees are necessary to reimburse expenses incurred by the judiciary in providing electronic public access to court records." (emphasis added)."

"**In the spirit of the E-Government Act of 2002**, modifications have been made to the District Court CM/ECF system to provide PACER customers with access to written opinions free of charge. The modifications also allow PACER customers to search for written opinions using a new report that is free of charge. Written opinions have been defined by the Judicial Conference as 'any document issued by a judge or judges of the court sitting in that capacity, that sets forth a reasoned explanation for a court's decision.' The responsibility for determining which documents meet this definition rests with the authoring judge."

What Congress Said When It Passed the Act

"The Committee intends to encourage the Judicial Conference to move from a fee structure in which electronic docketing systems are supported primarily by user fees to a fee structure in which this information is freely available to the greatest extent possible. *For example, the Administrative Office of the United States Courts operates an electronic public access service, known as PACER, that allows users to obtain case and docket information from Federal Appellate, District and Bankruptcy courts, and from the U.S. Party/Case Index.* ***Pursuant to existing law, users of PACER are charged fees that are higher than the marginal cost of disseminating the information."***

The Hyperlaw Letter

- **Barriers To Access Easily Resolved Within CM/ECF**
- **Completeness and Suitability of Opinions Selected**
  - Not All Judicial Opinions are Identified and Included in Written Opinions
  - Routine Orders Inappropriately Identified as Written Opinions and Included in the Written Opinions Reports
  - In General, No Focused Responsibility for Completeness of the Written Opinions Report
  - Not All Opinions are Searchable
- **Accessibility by Search Engines**
  - The Opinions Designated in the Written Opinions and Some Court Web Site Opinions Are Hidden Behind Firewalls
  - No Public File Name Assigned To the Opinion Files
  - Metadata in Header Not Used Uniformly

May 7, 2008

No-Fee FDLP Access

- AALL Resolution

  WHEREAS, Providing PACER to users of depository libraries at no-fee will increase greatly access by the public to important federal court information and strengthen the collaboration between GPO, the federal courts, depository libraries and the public which is the very essence of the FDLP partnership; now, therefore, be it

  RESOLVED, That the U.S. Government Printing Office should negotiate with the Administrative Office of the U.S. Courts to make the PACER system available at no cost to users of federal depository libraries;

- Judicial Conference approved 17 trial FDLP libraries in 2007

- goal: "...to determine if Federal depository library access to PACER expands

What the Judiciary Giveth, The Judiciary Taketh Away

Sep 30, 2008 -- "GPO and the Administrative Office of the United States Courts undertook a pilot to provide free public access to Federal court records at 17 Federal depository libraries through (PACER) ... The pilot has been suspended, pending an evaluation. Once the evaluation is complete, the judiciary and the GPO will determine what steps need to be taken in order to move forward. The pilot is part of GPO's efforts to increase public access to government information as well as the judiciary's continuing effort to expand public access to court records."

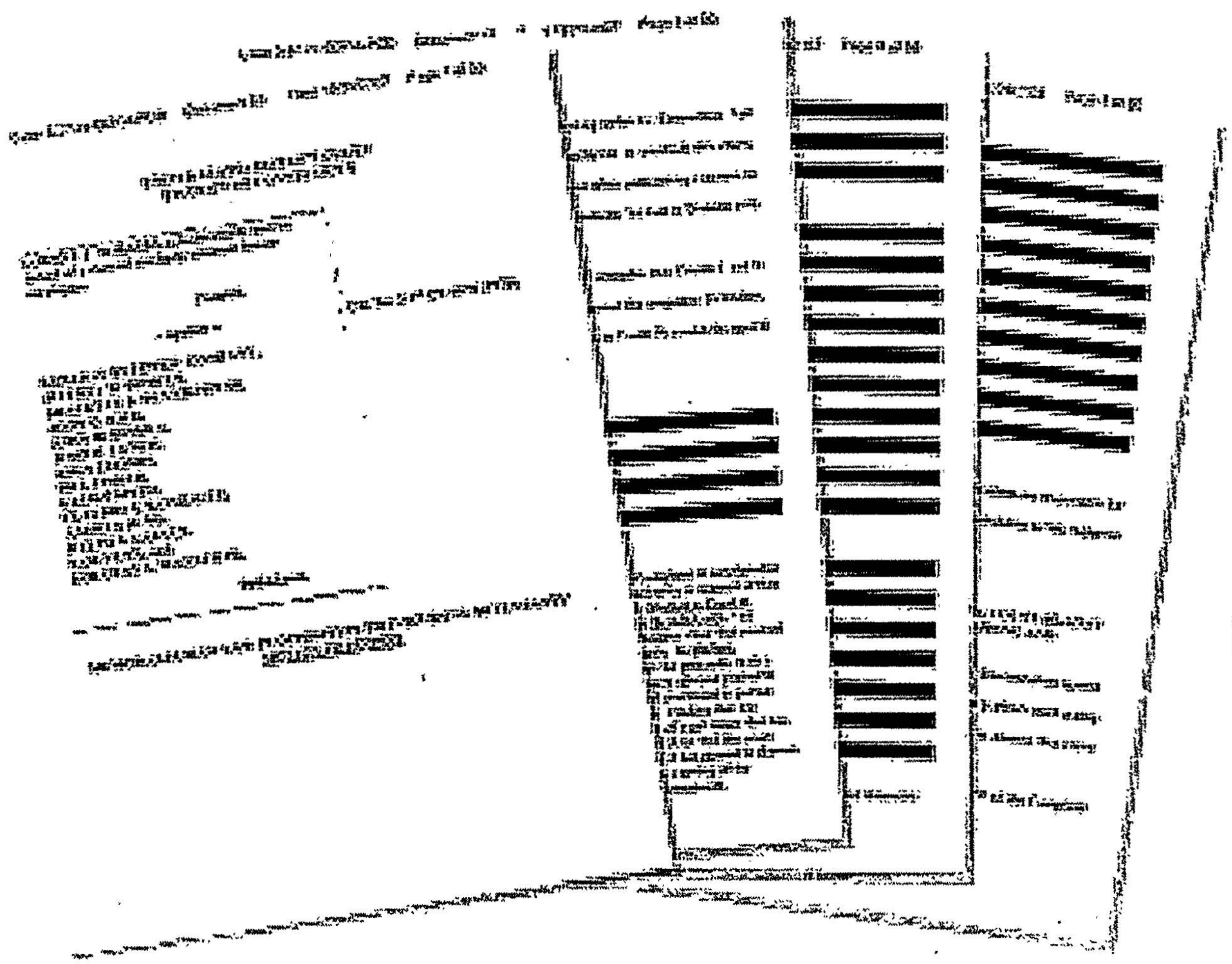
Barriers to Open Access

- Privacy
- Integrity
- Cost
- Inertia

Integrity

remixing the law?

Privacy



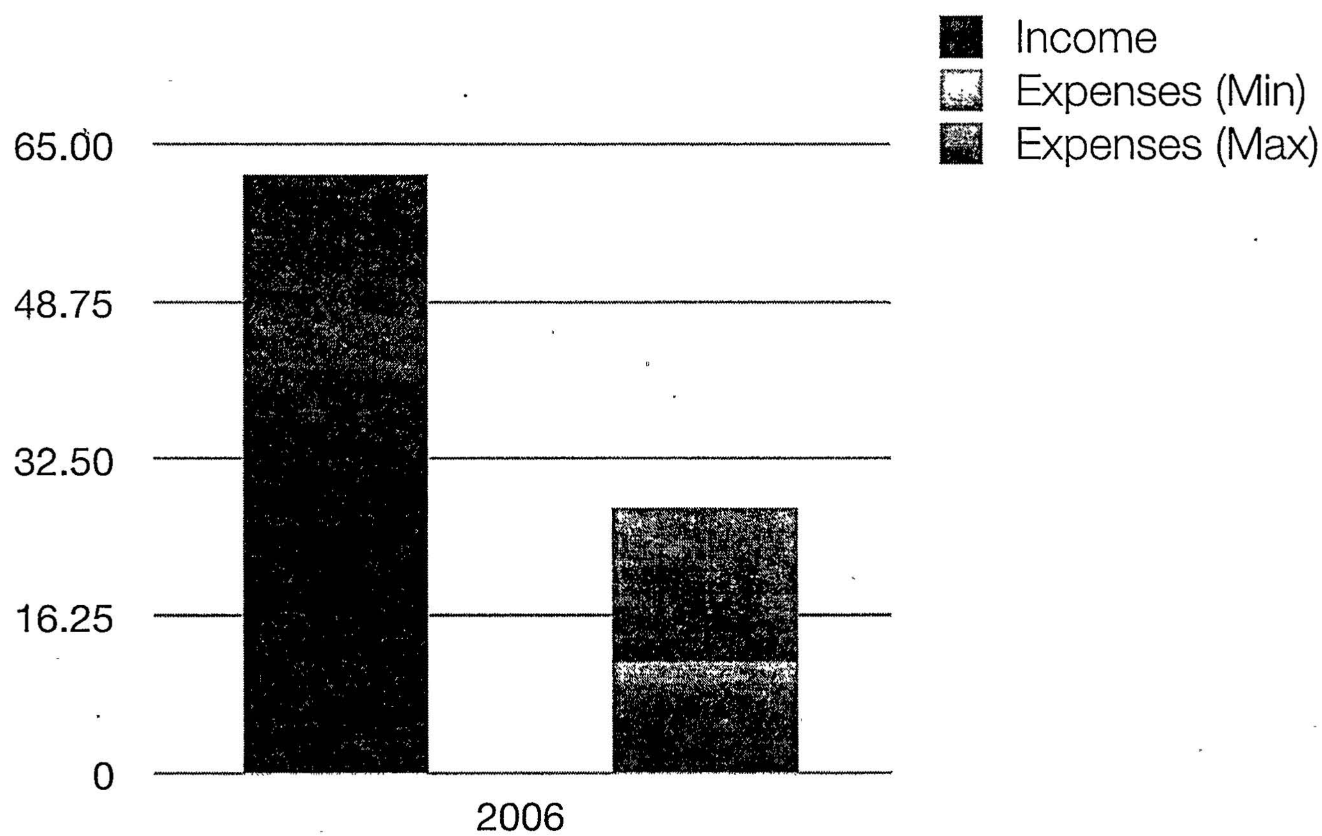
Cost: JITF Report 2006

FY 2006 Total Available Funding From All Sources ($ Millions)	
Deposits from Salaries and Expenses Account	$260.0
Fee Collections from Electronic Public Access	$62.3
Unobligated Balances from Prior Year	$98.4
Deposits from Courts	$26.2
Deposits from Non-Mandatory Users	$0.9
Total Available	$447.8

JITF Report 2006

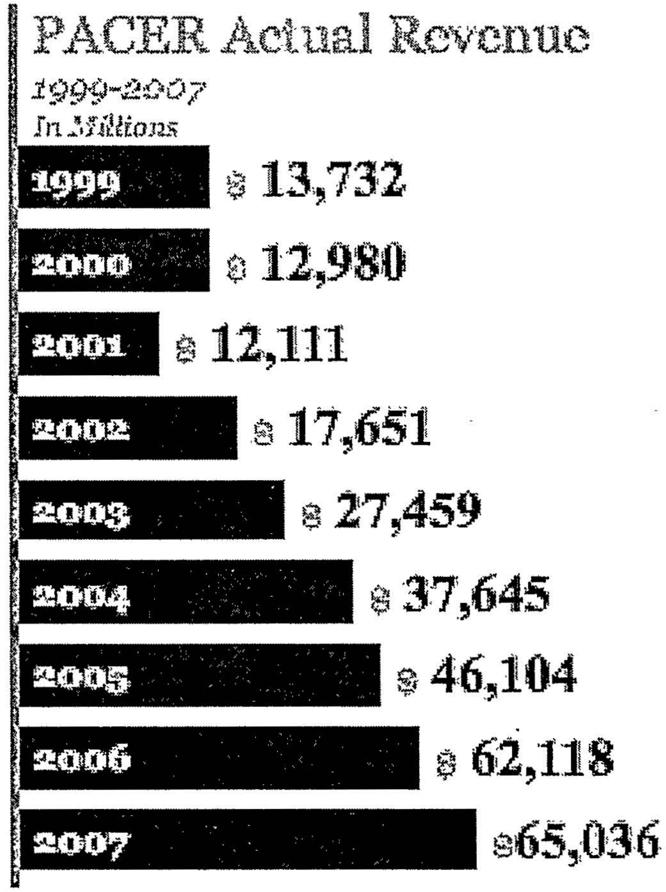
CENTRALLY OBLIGATED IT PROGRAM COMPONENTS ($ in Millions)	*FY 2006 OBLIGATIONS*	
Court Administration and Case Management Systems	$	16.0
Judicial Statistical and Reporting Systems	$	2.4
Courtroom Technology Program	$	7.1
Emergency Preparedness	$	2.9
Electronic Public Access Program	$	11.6
Probation and Pretrial Services	$	9.3
Financial Systems	$	16.5
Human Resources Systems	$	12.5
Management Information Systems	$	9.7
Infrastructure and Collaboration Tools	$	36.9
Telecommunications Program	$	27.0
Reimburseable Program	$	22.8
Non-Mandatory Users	$	0.1
Total Obligations	$	174.8

What Money Goes Where?



2007 Administrative Office Annual Report

- "The operational cost of the P[acer] S[ervice] C[enter] has consistently remained a small fraction of the revenue—in 2007, only 4.52 percent."



- 4.52% of 65 is 2.9

Long Range Plan for Information Technology in the Federal Judiciary 2008 - Projected Costs

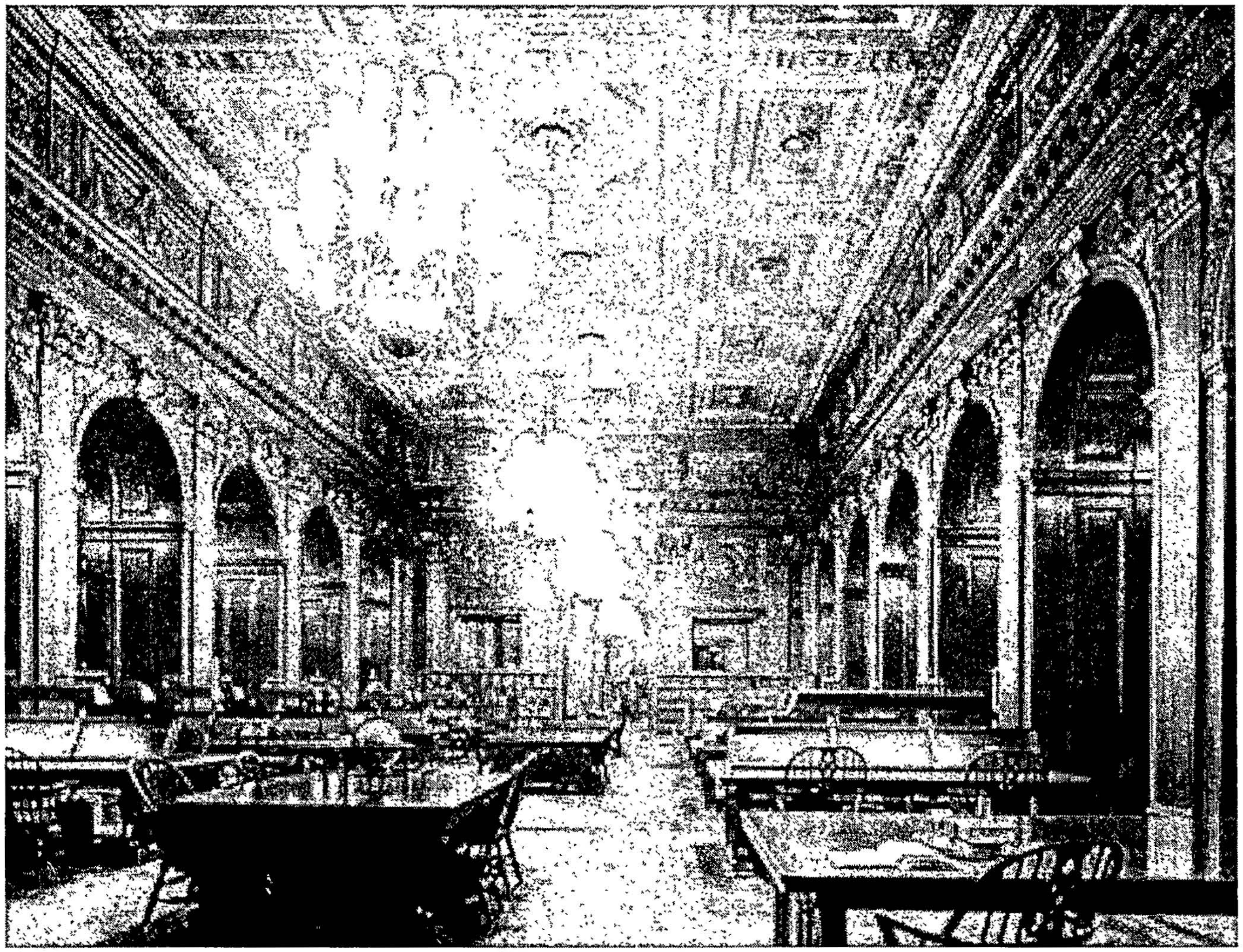
Lines of Business	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Court Administration and Case Management Systems	21.0	20.0	21.2	22.4	23.5
Judicial Statistical and Reporting Systems	4.2	4.3	4.6	4.8	5.0
Courtroom Technology Program	3.8	11.5	12.2	12.9	13.5
Electronic Public Access Program	30.7	25.6	27.1	28.6	30.1

	Current Estimate *(Dollars In Millions)*				
Lines of Business	FY 2008	FY 2009	FY 2010	FY 2011	FY 2012
Court Administration and					
Infrastructure and Collaboration Tools	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Telecommunications Program	54.0	56.5	59.9	63.2	66.4
Court Support	27.6	28.3	30.0	31.6	33.2
TOTAL JITF Financial Requirements	*411.1*	*432.4*	*458.3*	*483.5*	*507.7*

Alternative Cost Recovery Mechanisms

- How much cost recovery is warranted?
- How much cost goes away with open access?
- Congressional support?
- Enterprise services?
- Sponsorship?
- Funding from elsewhere in the Judiciary's budget?

Inertia



Committee on Information Technology

- The Committee on Information Technology reported that it reviewed the Judiciary Information Technology Fund Annual Report, which describes sources of funds, obligations, and unobligated balances. The Committee focused on the significant accumulation of unobligated balances, which in large measure reflects the cumulative results of cost-containment initiatives and the success of the CM/ECF system in the district and bankruptcy courts. It adopted a multi-part strategy to reduce future unobligated balances, including expanding the use of Electronic Public Access funds. - March 13, 2007



Judge Rosemary M. Collyer (D. D.C.)

Office of Information Technology



Howard Grandier, Assistant Director for the Office of Information Technology (OIT)

Committee on Court Administration and Case Management

- Next meeting: December 2008



Judge John R. Tunheim (D. Minn.)

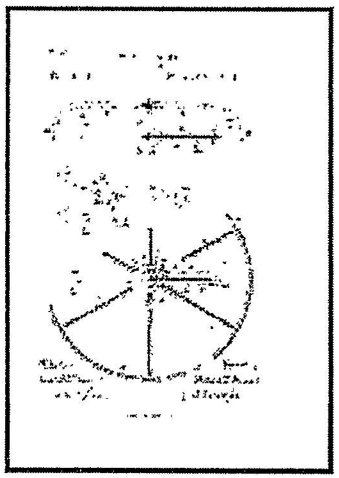
Electronic Public Access Working Group

- "This is a group of judges, clerks and court technology personnel that was formed specifically to address electronic public access issues."
- Next Meeting: October 2008
- Requested materials by Sep 24, 2008

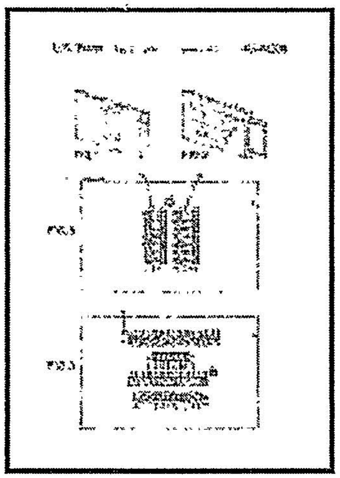
Google™ Patent Search BETA

Search Patents | Advanced Patent Search | Google Patent Search Help

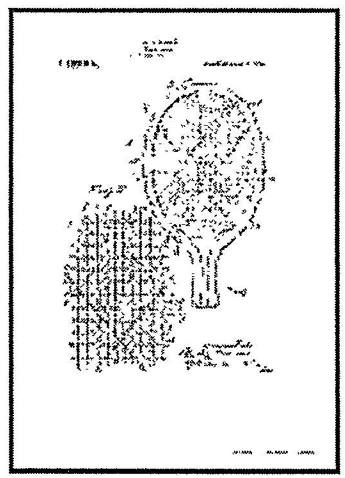
Search over 7 million patents.



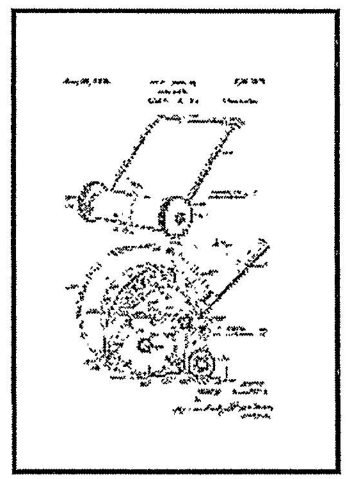
UNICYCLE



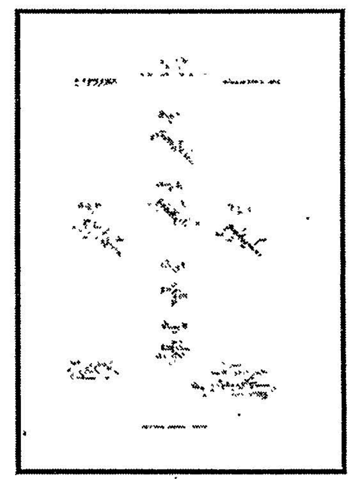
Digital instant schedule computer



TENNIS RACKET



LAWN MOWER



PUSH PIN

FD-340 (Rev. 4-11-03)

File Number 288A-WF-238943-1A5

Field Office Acquiring Evidence SC

Serial # of Originating Document 17

Date Received 2/5/09

From [redacted] - SCPLL   b6 b7C

(Name of Contributor/Interviewee)

(Address)

(City and State)

By SA [redacted]

To Be Returned ☐ Yes ☑ No

Receipt Given ☐ Yes ☑ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure

☐ Yes ☑ No

Federal Taxpayer Information (FTI)

☐ Yes ☑ No

Title: Unsub(s)
US COURTS - VICTIM;
COMPUTER INTRUSION - OTHER

Reference: FD-302 dated 02/11/2009

(Communication Enclosing Material)

Description: ☑ Original notes re interview of [redacted]

[redacted] 2/5/afternoon [redacted] [redacted] b6 b7C

Govt Docs Librarian 6.5 yrs

all Public computers
13 originally 16
pilot project terminated right after compromise
(note above "after": ukor 2)
Gvt Printing office Mtg in April 09 to determine future

Internet
• Web based — normal: enter credit card info
pilot program — encrypted password for free access

encrypted p/w on all systems

static html page link to pacer
she set it up per Alaska Library technician [redacted]

~~[crossed out]~~ p/w only local network server

---

p/w access — actual p/w written on paper
available to staff
advised not available to patrons
anybody on staff (~20)

Script for encrypting password
[redacted] provided script
key on server

no sign in sheet
no # of people who accessed system

access: sit at pc click on link
3 question survey used before where etc...
⇒ have access

written pw kept in rolodex @ reference desk.
on desk but not available to public w/o staff seeing & stopping them

no idea on compromise

no known unusual computer activity

b6
b7C

link no longer on static html page

static page internal only

desktop set to display webpage

p/w removed from rolodex

[redacted] b6 b7C

---

couple a weeks

ref librarian would log in

could not give p/w to patron

Alaska provided streamlined process

not in internal [redacted] since comp

Alaska library b6 b7C

[redacted] contacted her

installed on his system as well

never met [redacted] before

doesn't know if [redacted] helped other libraries

contacted how:

press releases and emails

no other sig contact c̄ Alaska Library

[redacted]

internet T1 maybe SBC

just switche

[redacted]
Programmer Analyst (Web Developer)
Alaska Court System
[redacted]@courts.state.ak.us
[redacted]

b6
b7C

FD-340 (Rev. 4-11-03)

File Number 288A-WF-238943-1A6

Field Office Acquiring Evidence SC

Serial # of Originating Document 18

Date Received 02/05/2009

From [redacted] - SCPLL

(Name of Contributor/Interviewee)

(Address)

(City and State)

By SA [redacted]

b6
b7C

To Be Returned ☐ Yes ☑ No

Receipt Given ☐ Yes ☑ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure

☐ Yes ☑ No

Federal Taxpayer Information (FTI)

☐ Yes ☑ No

Title: unsub(s);
US COURTS - VICTIM;
COMPUTER INTRUSION - OTHER

Reference: FD-302 dated 02/11/2009

(Communication Enclosing Material)

Description: ☐ Original notes re interview of [redacted]

+ Compact Disc of Pacer login Script

3pm 2/5/09

[redacted]

b6
b7C

Q Someone helped [redacted] set it up

[redacted] never reviewed security aspect

intranet webserver; script running on it

f/w i rolodex until hack

No known intru activity during time f

7 1/2 yrs no intrusions

No internal intrusion activity observed

No one knowledgeable

b6
b7C

[redacted] Senior Systems Admin

[redacted]

PHD UC Davis [redacted]
from Montenegro

192.168.252.100 => DMZ
250 => Inside

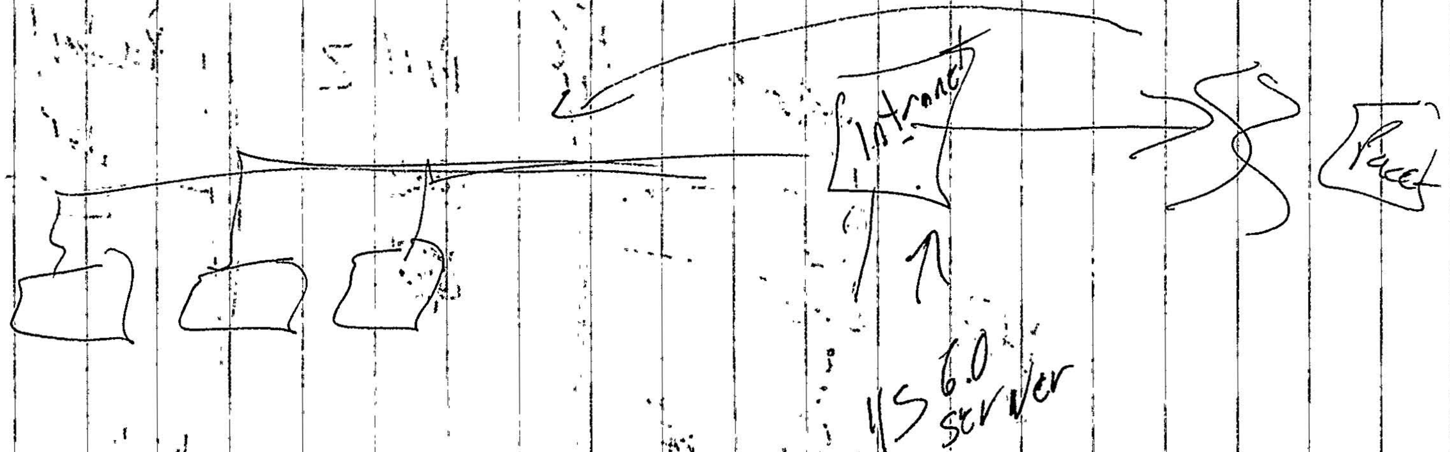
many partitionserver

F/W Watchcard version
v x1000
non x750e

[redacted] still have incoming logs
to IIS server

Script on IIS server machine
different instance

main
test
intranet



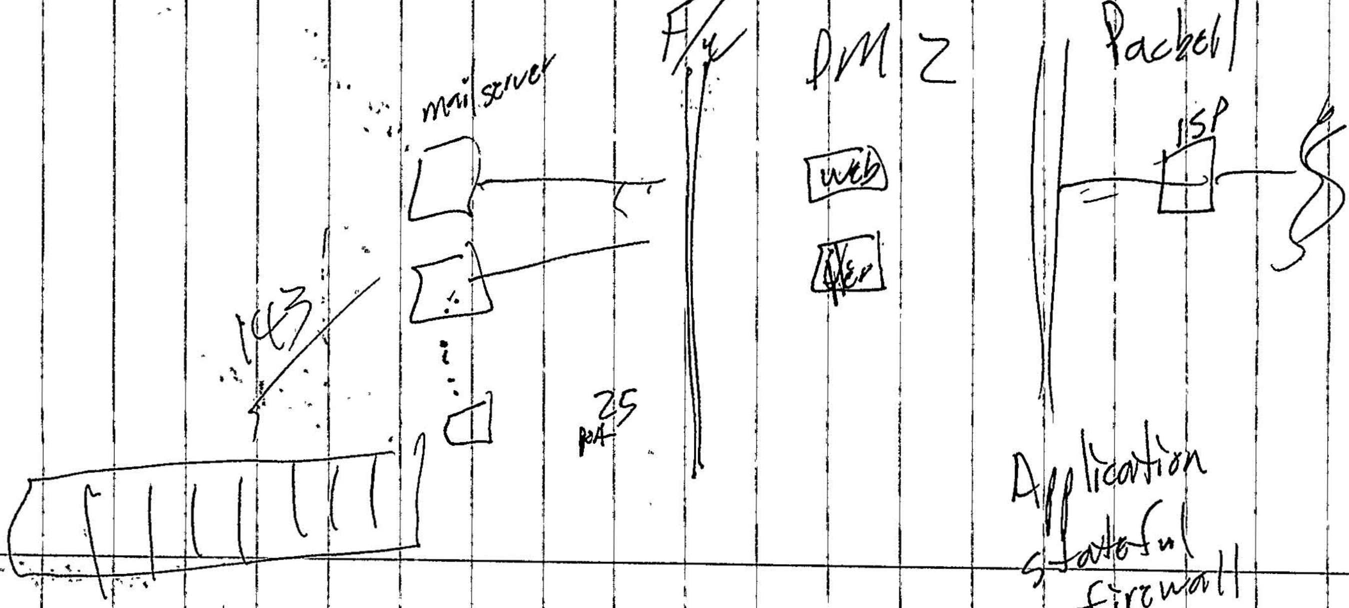
15 servers most behind firewall

700+ workstation

2 servers in DMS

80

Web server | Horizon Information Portal server
→ library database



no FTP

Survest circa Christmas 08

paypal - selling videos ⇒ SSL

no 443 in

SACRAMENTO COUNTY PUBLIC·LAW LIBRARY

[redacted]

b6
b7C

"Providing Free Public Access to Legal Information for over 100 years"

813 Sixth Street,
First Floor
Sacramento, CA 95814-2403
www.saclaw.org

[redacted]
FAX (916) 874-5691
[redacted]saclaw.org

FD-340 (Rev. 4-11-03)

File Number 288A-WF-238943-1A7

Field Office Acquiring Evidence WFO

Serial # of Originating Document ________

Date Received 04/15/09 [redacted]

From [redacted] ewee)

(Address)

(City and State)

By SA [redacted]

To Be Returned ☐ Yes ☑ No

Receipt Given ☐ Yes ☑ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e) Federal Rules of Criminal Procedure

☐ Yes ☑ No

Federal Taxpayer Information (FTI)

☐ Yes ☑ No

Title: UNSUB(S);
US COURTS-VICTIM;
COMP INTRUSION-OTHER

Reference: 302 (Communication Enclosing Material)

Description: ☒ Original notes re interview of

[redacted]

b6
b7C

sheraton.com 1 800 325 3535

b6
b7C

[redacted]

[redacted].org

[redacted]

4/15/09

- I can't tell you how Aaron did it.
- I'm a former professor for MIT, I understand the security of PACER & can speak on that
- Do I need an attorney?
- Told him we can't advise him of that but we are looking for info to get PACER back up & running
- he asked if this is an investigation

FD-340 (Rev. 4-11-03)

File Number 288A-WF-238943 - 1A8

Field Office Acquiring Evidence WFO

Serial # of Originating Document ________________

Date Received 04/15/2009

From [redacted]

[redacted]utor/Interviewee)

____

(Address)

____

(City and State)

By SA [redacted]

b6
b7C

To Be Returned ☐ Yes ☑ No

Receipt Given ☐ Yes ☑ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure

☐ Yes ☑ No

Federal Taxpayer Information (FTI)

☐ Yes ☑ No

Title: US Courts

Reference: 302

(Communication Enclosing Material)

____

Description: ☑ Original notes re interview of

[redacted] Business Card

PUBLIC.RESOURCE.ORG

A Nonprofit Corporation

[redacted]

1005 GRAVENSTEIN HWY N.
SEBASTOPOL, CA 95472

THE GREAT SEAL OF THE SEAL OF APPROVAL PUBLIC.RESOURCE.ORG

b6
b7C

California

[redacted]

94-95, 95-96 - Podesta, CSPAN copyright
2007 appeals, [illegible] same [illegible] [illegible] 5/2008
pacer. records [illegible], [illegible] class, encouraged,
#16, Schwartz, 710 GB, cost [illegible] SSN, 10/08
Martin [illegible], Win, ils, not [illegible] audit, told
[illegible] all, accurate, (Why), 10 yrs, [illegible]
to [illegible] to peer [illegible], [illegible]
never paid, Oregon, proxy, [illegible] money,
[illegible] [illegible] [illegible], [illegible], [illegible]
the [illegible] [illegible]

1

Cell [redacted]

b6
b7C

SSN [redacted]

[redacted]

DOB [redacted] 4/15/09

501C3 Non-profit - public.resource.org
- last 20 yrs. putting govt. data online
- SEC Edgar database 94-95
- got more info from Smithsonian online
- resp. for changing C8PAN's policies
- 2007 - primary legal materials needed attention
- 2008 - court of appeals info online (50 yrs worth)
  - people writing saying SSN was posted online, got SSN's removed using LexusNexus
- Judge Rosenthals - sent her audit that listed SSN's online & presented series of recommendations (provided copies)

- mid-08

pacer.resource.org
- site meant to get some policy aims across
- get PACER docs uploaded for anyone to view
- list of 17 FAQ's
- [redacted] doesn't like PACER system, clear in FAQ's
*14 - Thumb Drive Corp - suggests people go to 17 libraries & download PACER docs.
- 1 volunteer contacted him that he had (Aaron Swartz) 770 gigabytes of PACER data
  - [redacted] looked at it, was satisfied that it was clean. Started looking for SSN's, found large # of SSN's in that PACER data

- found 1700 bad docs. in 20% of PACER they had docs.
- told Admin Office of the US Courts he would work w/ there technical
AUSA [redacted] → staff, called DOJ & told them of SSN's printed, b6 b7C
they said (Seattle) there was no investigation
- Oct. 23, 2008 - sent info to US Courts again
- Professor [redacted] from Cornell Law School - knew him volunteered to help their comp. systems out Admin office
- Late Dec. 2008 - [redacted] from NY Times asked for info, he gave [redacted] info, articles were printed, [redacted] said articles were generally accurate & he has found no mistakes
- One request before Judge Lamberth for no fee for PACER info. that wouldn't let [redacted] redistribute info, [redacted] is asking for that to be waived

- [redacted] brief Senate judiciary committee, & 2 other comms., and see judge - why he's in town

FAQ - upload button to upload pdf documents
- [redacted] doesn't retrieve them b/c people are paying for these docs so they could redistribute the docs.
- did he think people would steal data or upload what they bought?
- assumed people would get data by paying for it or going to 17 libraries for free PACER data
- doesn't think what Aaron did was illegitimate
- they are not hackers

you don't have to be physically in the library to access that info legitimately

data was downloaded over 6 weeks, no one ever stopped them

never saw anything that said that was for personal use in libraries, if he had he would not have released the info, would still have done the SSN audit

known Aaron for a decade, long standing relationship

[redacted] encouraged people to take docs from PACER system b6 -b7C
& upload them to his page

* LexusNexus & West

Notice on log-in page? saw that, this is not unauthorized access, the data was available for users to view, he studied that statement to determine if what he asked people to do was unauthorized

been working on legal info since beginning of 2007

-- interviews at White House

doing govt. info. for 2 decades

scanned 3 mil pages of congress hearings & made those available

Chaired Internet Systems Consortion -

-gets free hosting in Bay area, unlimited bandwidth

frustrated that US Courts won't contact him & work w/ him

- did he have anyone else supplying PACER data?
  - no one else sending large amts, thousands uploaded small #'s of docs. - 80 K pages uploaded thru resource.org
- how can they fix system to go forward? [redacted] thinks - make cookie track IP address, so that if you use cookie on another computer, make them log-in again b6 b7C
- now, all you have to do is log-in, then use cookie on another computer & have access, only limit is cookie is good for one week
- [redacted] looked at security language, announcement for release of PACER, didn't see anything that said a normal user couldn't do this
- AS was given an acct by [redacted] at public.resource.org he uploaded info to acct.
- [redacted] - paid 600K to purchase circuit ~~data~~ court opinions from vendor
  - has not paid for bulk data from PACER
  - if you uploaded data, [redacted] didn't pay you
  - did not pay AS
  - [redacted] pays institutions, not people
  - [redacted] has his own PACER acct
- AS not employed by [redacted] in any way
  - at one pt, [redacted] attempted to commission him to do audit, paid him, AS didn't do work, [redacted] asked for $ back - in 2008 AS sent $ back, check was never cashed, AS returned check

5

- only 2 [redacted] & AS were only one who had accts
- AS's acct terminated when they saw PACER was stopped
- [redacted] doesn't give accts to many people
- uploads are anonymous, [redacted] they don't even check pages until sometime later to see if they are PACER docs.
- fix for Admin Office - track IP addresses for PACER users? would be one solution
- [redacted] would love to discuss issues w/ Admin Office, if they want libraries to be personal access or 3 page limit, he would help them achieve that
- 8 ¢ page - excessive charge, should be 2¢ not 8¢ at least based on letter sent by Senator
- data needs to be scrubbed first, properly sealed (unsealed docs. that are improperly unsealed should be taken off internet)
- You can't search PACER - problem
  - need to be able to search for keywords

b6
b7C

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1257375-1

Total Deleted Page(s) = 17
Page 3 ~ Duplicate - 266A-WF-238943-3;
Page 6 ~ b3; b6; b7C;
Page 7 ~ b3; b6; b7C;
Page 8 ~ b3;
Page 9 ~ b3;
Page 10 ~ b3;
Page 11 ~ b3;
Page 12 ~ b3;
Page 19 ~ b7E;
Page 20 ~ b7E;
Page 21 ~ b7E;
Page 22 ~ b7E;
Page 23 ~ b7E;
Page 24 ~ b7E;
Page 25 ~ b7E;
Page 26 ~ b7E;
Page 29 ~ b3;

XXXXXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXX

FD-340a (Rev. 1-27-03)

UNSUB(S); US Courts-
Victim Computer
(Title) ~~Intrusion~~ Other

(File No.) WF-238943-GJ

Item	Date Filed	To be returned Yes	No		Disposition

FD-340 (Rev. 4-11-03)

File Number 288A-WF-238943-GJ-1A1

Field Office Acquiring Evidence WFO

Serial # of Originating Document ______

Date Received 11/04/2008

From [redacted] b3 b6 b7C

(Name of Contributor/Interviewee)

______

(Address)

______

(City and State)

By SA [redacted]

To Be Returned ☐ Yes [x] No

Receipt Given ☐ Yes [x] No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure

[x] Yes ☐ No

Federal Taxpayer Information (FTI)

☐ Yes [x] No

Title: Unsub(s);
US Courts-Victim;
Computer Intrusion - Other

Reference: 302

(Communication Enclosing Material)

Description: ☐ Original notes re interview of

[redacted] Subpoena Return

1.

FD-340 (Rev. 4-11-03)

File Number 288A-WF-238943-BJ-1A2

Field Office Acquiring Evidence WFO

Serial # of Originating Document

Date Received 11/06/2008

From ______________________
(Name of Contributor/Interviewee)

____
(Address)

____
(City and State)

By SA [redacted]

b6
b7C

To Be Returned ☐ Yes ☑ No

Receipt Given ☐ Yes ☑ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure

☐ Yes ☑ No

Federal Taxpayer Information (FTI)

☐ Yes ☑ No

Title: Unsub(s);
US Courts - Victim;
Comp Intrusion - Other

Reference: 302
(Communication Enclosing Material)

Description: ☐ Original notes re interview of

aaronsw.com website print-outs, Wikipedia
results, locicenor.com/aaronsw print-out,
[redacted]

b7E

Aaron Swartz

acting up

activist

day job: **watchdog.net**

Change Congress

The Invention of Objectivity

A Feminist Goes to the Hospital

The Power of Right-Wing Think Tanks

Understanding Economic Jargon

Why Centrism?

The New McCarthy: Bill O'Reilly

writer

my blog: **Raw Thought**

Who Writes Wikipedia?

Rachel Carson, Mass Murderer?

HOWTO: Be more productive

A Non-Programmer's Apology

Life in Suburbia: Land of Cliche

The Intentionality of Evil

Book Reviews...

hacker

night job: **Open Library**

web.py

Jottit

reddit

Markdown

xmltramp

html2text

rss2email

[contact info]

last updated ~~July 18, 2006~~ April 15, 2008

More: Greatest Hits, Accomplishments, Zpedia

Aaron Swartz: contact information

cyberspace

I really prefer email: me@aaronsw.com.

If I don't respond to your message promptly, feel free to send it again and again until I do. Sometimes things get caught in spam folders or otherwise disappeared.

If you have to call, email me to get the number.

meatspace

permanent mailing address:

Aaron Swartz
349 Marshman
Highland Park, IL 60035

posted July 18, 2006

life story • self-promo

Aaron Swartz

From Wikipedia, the free encyclopedia

Aaron Swartz (born 1986) is a writer, web developer, and entrepreneur. At age 14, he was a co-author of the RSS 1.0 specification. Since then he has become a member of the W3C's RDF Core Working Group, co-designed the formatting language Markdown with John Gruber, and has been involved in many other projects.

Swartz was the founder of Infogami, a startup that was part of Y Combinator's first Summer Founders Program. Previously, he attended Stanford University for a year, leaving to work on his company full-time. Infogami merged with reddit to form not a bug but failed to take off.

In late 2006, reddit was sold to CondéNet (the online arm of Condé Nast Publications and the owners of *Wired*) and Swartz moved with his company to San Francisco. In January 2007, Swartz was asked to resign from his position at Wired Digital.[1]

In September 2007, Swartz, together with Simon Carstensen, launched Jottit, a website service quite similar to Infogami. Jottit was launched from bitbots.net, a project by Swartz and Carstensen. Swartz is also the creator of the web.py web application framework, based on the Python programming language, which is used by Jottit (and previously reddit).

Swartz is an active blogger and has written a number of widely read essays on his blog. Two of his more well-known pieces include "Who Writes Wikipedia", an article examining the contributions to Wikipedia articles written during his candidacy for the Wikimedia Foundation board election in 2006, and "HOWTO: Be More Productive", an article on personal productivity.

Swartz currently lives in Cambridge, Mass.

Publications

- Swartz, Aaron. "MusicBrainz: A Semantic Web Service", *IEEE Intelligent Systems*, vol. 17, no. 1, pp. 76–77, Jan/Feb 2002.
- Swartz, A. and Hendler, J. "The Semantic Web: A Network of Content for the Digital City", *Proceedings of the Second Annual Digital Cities Workshop*, Kyoto, Japan, October 2001.

References

1. ^ A Chat with Aaron Swartz

External links

- Personal website
- Infogami.com and Infogami.org
- reddit
- web.py Web frameworks
- not a bug
- Jottit
- bitbots.net
- "Undergraduate Overachiever", *Wired*, September 12, 2004
- Aaron Swartz at the Internet Movie Database
- Video interview by Will Wilkinson on Bloggingheads.tv

Retrieved from "http://en.wikipedia.org/wiki/Aaron_Swartz"
Categories: 1986 births | Child businesspeople | Computer programmers | Businesspeople in information technology | Living people | Dot-com people

- This page was last modified on 12 September 2008, at 17:44.

Aaron Swartz

That's me, Aaron Swartz -- the guy who runs this place. More information is at my homepage. This URI identifies me, a resource.

Wesley Felter* took a picture of me as one of the Usual Suspects.

"This kid is scaring me..." - John Mahoney, when told about my projects. This ocurred as I met him and Studs Turkel* while going to be interviewed for the show below.

On 2001-07-02*, I was on the show Eight-Forty-Eight* on WBEZ* about the Semantic Web. Listen to it: RealAudio Archive, MP3 hopefully coming soon (@@).

I attended the local DMCA Protest.

Linked from: Aaron's Copy of Weaving the Web | DMCA Letter | Highland Park | LogicError | My Story | Server Gunk | Taxonomy Module Quick Start | The Semantic Web In Breadth | W3C Meeting (2001-2) | W3C Meeting Notes (2001-2-26)

Links to: @@ | DMCA Protest | Judaism | The Semantic Web | Tim Berners-Lee

Last Modified: 2001-08-03 13:50:32

FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 10/16/2008

A Grand Jury Subpoena for [redacted] was served on 10/06/2008 by U.S. Attorney's Office. b3

A photocopy of the subpoena is attached.

[redacted] b6 b7C

Investigation on 10/06/2008 at Washington, DC

File # 288A-WF-238943-GJ-2 Date dictated

by SA [redacted] b3 b6 b7C

10([redacted]

Submit by Email | Print Form

CO 293 (Rev. 8/91) Subpoena to Testify before Grand Jury

United States District Court

FOR THE **DISTRICT OF** COLUMBIA

b3

TO: [redacted]

WA 98144

SUBPOENA TO TESTIFY BEFORE GRAND JURY

SUBPOENA FOR:
[ ] PERSON [X] DOCUMENT(S) OR OBJECT(S)

IN RE: POSSIBLE VIOLATION OF:

18 U.S.C. § **1030**

YOU ARE HEREBY COMMANDED to appear and testify before the Grand Jury of the United States District Court at the place, date, and time specified below.

PLACE	COURTROOM
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA **United States Courthouse** **Third & Constitution, N.W.** **Washington, D.C. 20530**	3rd Floor GRAND JURY ROOMS DATE AND TIME Thursday Oct 16, 2008 at 1:00 P.M.

YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s):*

See Attached Description

COMPLIANCE MAY BE MADE BY MAILING THE REQUESTED DOCUMENTS VIA REGULAR OR CERTIFIED MAIL TO THE UNDERSIGNED ASSISTANT U.S. ATTORNEY AT THE ADDRESS BELOW, OR BY SUPPLYING THE REQUESTED DOCUMENTS TO THE BEARER OF THIS SUBPOENA.

☐ *Please see additional information on reverse.*

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT	DATE
NANCY MAYER-WHITTINGTON	
(By) Deputy Clerk	USAO # Y-CCCC-SSS /eaw

	NAME, ADDRESS AND PHONE NUMBER OF ASSISTANT U.S. ATTORNEY
This subpoena is issued upon application of the United States of America.	[redacted] Assistant U.S. Attorney United States Attorney's Office 555 Fourth Street, N.W., Room 5437 Washington, D.C. 20530 202-307-6159 (Voice) 202-307-2304 (Fax)

b6
b7C

* If not applicable, enter "none".

*U.S.GPO:1993-0-350-792/80398

FD-302 (Rev. 10-6-95)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 11/06/2008

GRAND JURY MATERIAL - DISSEMINATE PURSUANT TO RULE 6(e)

[redacted] b3

On November 4, 2008, pursuant to the grand jury subpoena served on October 6, 2008, the following subpoena return was received from [redacted]

A copy of the subpoena results is maintained in an FD-340.

A search of SWARTZ's website, www.aaronsw.com, lists SWARTZ as an activist, writer and hacker. The website verifies

Investigation on 11/04/2008 at Washington, DC

File # 288A-WF-238943-GJ -3 Date dictated N/A

by SA [redacted] b6 b7C

288A-WF-238943-GJ

 b3

SWARTZ's email address and mailing address as those listed above. A search in Wikipedia listed SWARTZ as co-author of the RSS 1.0 specification, a member of the W3C's RDF Core Working Group, co-designer of the formatting language Markdown, founder of Infogami, co-founder of Jottit, and creator of the web.py web application framework. SWARTZ has a webpage at logicerror.com/AaronSW.

A search [redacted] provided the following information: b7E

[redacted]

Copies of the webpages [redacted] are maintained in an FD-340.

A search in ACS for aaronsw.com was positive for case ID 315T-HQ-C1475879-IP, serial 91. An email header associated with [redacted] account labeled Computer Science b6 is undisputednexis@aaronsw.com. b7C